

## **SANPETE COUNTY COMMISSION MEETING**

**July 8, 2014, 1:00 P.M.**

Sanpete County Courthouse, 160 North Main, Room 101, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Steve Frischknecht and Scott Bartholomew, County Attorney Brody Keisel, and County Clerk Sandy Neill.

Meeting is called to order by Commission Chair Claudia Jarrett.

### **CLAIMS**

Auditor Ilene Roth is present. Motion is made by Commissioner Frischknecht to approve payment of claims #333817 through #333925. The motion is seconded by Commissioner Bartholomew, and the motion passes. Motion is made by Commissioner Frischknecht to approve payment of claims #333926 through #333965. The motion is seconded by Commissioner Bartholomew, and the motion passes.

### **CANVASS OF THE PRIMARY ELECTION**

Commissioner Jarrett thanks those who ran for office. Sandy Neill, County Clerk presents the final primary election results for review. One hundred and eighty six ballots were reviewed after election day. Fifty seven of those ballots were not counted for various reasons (See canvass results attached to these minutes.) One hundred and twenty nine ballots were counted and added to the election night results. There were 3,375 active voters who are now in by mail precincts, and 4,566 active voters in the precincts with polling places. The voter turnout was average for a primary election for the voters who voted at the polling places. The turnout was much higher for the voters in the by mail precincts. (See attached report.) One voting machine was selected in a random drawing held by the Lieutenant Governor's office to be audited. The board of canvassers reviewed the results of the audit. Brian Nielson was declared the winner of the Sheriff's race by 146 votes, Claudia Jarrett was declared the winner of the Commission race by 871 votes, and Devin Parry was declared the winner of the treasurer race by 24 votes. Motion is made by Commissioner Bartholomew to accept the canvass of the 2014 Primary election. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### **JUDGE JOHN COX: APPROVAL OF TEMPORARY SUBSTITUTE JUDGES TO BE CONSIDERED IF NEEDED; APPROVAL OF PAY INCREASE FOR TAMARA WHEELER**

Judge John Cox is present. He presents a list of 5 judges that are available to serve as temporary justice court judges if needed. They will be reimbursed mileage for their travel. Motion is made by Commissioner Frischknecht to approve the list of available judges. The motion is seconded by Commissioner Bartholomew, and the motion passes. Motion is made by Commissioner Frischknecht to approve a pay increase to \$11.00 per hour for part time employee Tamara Wheeler effective August 3, 2014. Tamara has worked as a clerk for 2 years. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**SHERIFF BRIAN NIELSON: APPROVAL TO EXPEND EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) IN THE AMOUNT OF \$40,000.00; APPROVAL TO HIRE CRISTIN EDMUNDS AS A FULL TIME CONTROL ROOM OPERATOR; APPROVAL TO PURCHASE AN ICE MACHINE; APPROVAL OF ADJUSTMENT IN PAY FOR NATALIE ORGAN**

Sheriff Brian Nielson is present. Motion is made by Commissioner Bartholomew to approve the expenditure of the Emergency Management Performance Grant in the amount of \$40,000.00. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve a pay adjustment to \$13.79 for Natalie Organ while she was working part time, and then return her to her full time wage that was earlier approved beginning July 1, 2014, when she started working full time. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Frischknecht to approve hiring Cristin Edmunds as a full time control room operator at the rate of \$13.63 effective July 20, 2014. The motion is seconded by Commissioner Bartholomew, and the motion passes. Motion is made by Commissioner Bartholomew to approve the purchase an ice machine (that will fit the bin that is already in place) from Peterson Refrigeration. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**SERGEANT JAYSON ALBEE: APPROVAL TO EXPEND SRS TITLE III ALLOCATION FOR SEARCH AND RESCUE FOR THE CONOVER AVALANCHE; APPROVAL TO REIMBURSE SANPETE COUNTY FROM THE SRS TITLE III ALLOCATION**

Sergeant Jayson Albee is present. Motion is made by Commissioner Frischknecht to approve the expenditure of \$10,414.16 from the SRS Title III allocation for Search and Rescue for the Conover Avalanche. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**RICHARD CHAMBERLAIN: CONSIDERATION FOR AND ADOPTION OF NON-IMPAIRMENT RESOLUTION IN CONNECTION WITH CIB LOAN TO SANPETE COUNTY SSD #1**

Motion is made by Commissioner Frischknecht to adopt Resolution 07-08-2014, a resolution covenanting to not impair the mineral lease revenues of the Sanpete County Special Service District #1 so as to negatively impact said district's ability to repay its \$645,000 mineral lease revenue bond, Series 2014; and related matters. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**GARRICK WILLDEN: APPROVAL OF FINAL REIMBURSEMENT REQUEST FOR THE NRCS WOOD HOLLOW EMERGENCY WATERSHED PROTECTION PROJECT**

Garrick Willden is present. Motion is made by Commissioner Bartholomew to approve the final reimbursement request for the NRCS Wood Hollow emergency watershed protection project in the amount of \$40,083.54. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Frischknecht to approve the contract record drawing of the Sanpete Wood Hollow EWP. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**KURT KELSO: APPROVAL TO START THE BUILDING PROCESS ON S 26273x1 WHILE THE PROPERTY IS IN THE PROCESS OF ANNEXATION INTO MT. PLEASANT CITY**

Kurt Kelso is present. He would like to start building his home just outside city limits in Mt. Pleasant. The city had told him earlier that this was in city limits. The parcel is too small to meet

county zoning, and he is in the process of annexing the property into Mt. Pleasant City. Dave Oxman is present representing Mt. Pleasant. The city is willing to do what it takes to be sure that Mr. Kelso is able to build. They allowed the process to start because they thought the property was in city limits. Utilities are being provided by Mt. Pleasant City. At the public hearing held for the annexation, all present were in support of annexing this property. Mt. Pleasant City is also considering making a buffer zone around the city. The Commission is concerned about setting precedence if they allow the building permit to be issued prior to the annexation. Mr. Kelso states that if this is not annexed, he would be able to obtain the required acres to meet the 5 acre requirement. Zoning Administrator Scott Olsen is present. Discussion is held about asking the Board of Adjustment for a variance. The concern is that as long as the property is still not in a city, the property would need to go through the subdivision process before a building permit could be issued. The Commission takes no action at this time.

**PUBLIC HEARING ON PROPOSED AMENDMENT TO THE SANPETE COUNTY SUBDIVISION ORDINANCE RELATING TO THE MINIMUM WATER FLOW STANDARDS THAT PROPOSED SUBDIVISIONS MUST MEET**

Scott Olsen is present. The state requires .45 acre feet of water for domestic use. If surface irrigation water is owned, .55 acre feet of that water can be combined with the .45 acre feet of water to give a total of 1 acre foot of water that the County requires for a full time dwelling. Robyn Benton comments that in her process to obtain water rights she has found that there is a lot of water that is just sitting. The law says it needs to be used or the owner loses ownership. This doesn't seem to be happening. Natalie Zabriskie is concerned about what could happen if the water is not sold with the dwelling, the new owner would not be in compliance. The irrigation companies should be keeping track of water that is committed to a parcel of land. The buyers need to check to be sure they have the water they need to go with their dwelling. Motion is made by Commissioner Frischknecht to approve the changes to the subdivision ordinance relating to the minimum water flow standards that proposed subdivisions must meet. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**CODY AND ASHLI BROADHEAD: FINAL APPROVAL OF A ONE-LOT MINOR SUBDIVISION LOCATED SOUTHWEST OF MT. PLEASANT ON S 26181x3**

Scott Olsen and Cody Broadhead are present. Motion is made by Commissioner Frischknecht to approve the Broadhead Subdivision, a one-lot minor subdivision located southwest of Mt. Pleasant on S 26181x3. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**ANDREA MADSEN WITH GRAND SCALE, INC.: DISCUSSION OF MAPLE CANYON ISSUES**

Andrea Madsen is unable to be here today. She will reschedule.

**INDIANOLA VALLEY FIRE DEPARTMENT: APPROVAL TO USE FUNDS FOR BUILDING IMPROVEMENT**

Marty Duitz is present. The repair work that was approved last year in July has not been done. They also are in need of a generator for the station sometime in the near future. Motion is made by Commissioner Bartholomew to approve the expenditure of \$4,971.09 for the repair of the Indianola Valley Fire Department building. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF AMENDMENT #3 TO CONTRACT #131454 BETWEEN THE STATE OF UTAH ATTORNEY GENERAL'S OFFICE AND SANPETE COUNTY**

Motion is made by Commissioner Bartholomew to approve amendment #3 to the contract between the State of Utah Attorney General's Office and Sanpete County for the Children's Justice Center. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Frischknecht to approve the minutes from May 6, 2014 with minor corrections. The motion is seconded by Commissioner Bartholomew, and the motion passes.

Motion is made by Commissioner Frischknecht to go into executive session to discuss pending or imminent litigation and the professional competence of an individual. The motion is seconded by Commissioner Bartholomew, and the motion passes.


**EXECUTIVE SESSION**

Motion is made by Commissioner Frischknecht to go out of executive session. The motion is seconded by Commissioner Bartholomew, and the motion passes. The following action is taken based on the executive session. Motion is made by Commissioner Frischknecht to make an offer to an individual to work in the Building Inspectors Office for employment with conditions. The motion is seconded by Commissioner Bartholomew, and the motion passes.

Motion is made by Commissioner Frischknecht to adjourn. The motion is seconded by Commissioner Bartholomew, and the motion passes.

The meeting is adjourned at 3:41 P.M.

ATTEST:   
Sandy Neill  
Sanpete County Clerk

APPROVED:   
Claudia Jarrett  
Commission Chair